

FIRST REGULAR SESSION

# HOUSE BILL NO. 439

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES WEBB (Sponsor), MAY, NEWMAN, NORR,  
PACE AND COOKSON (Co-sponsors).

0172L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 170, RSMo, by adding thereto one new section relating to student participation in extracurricular activities.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 170, RSMo, is amended by adding thereto one new section, to be known as section 170.042, to read as follows:

**170.042. 1. The state board of education shall by rule limit participation in and practice for extracurricular activities during the school day and the school week. The rules shall, to the extent possible, preserve the school day for academic activities without interruption for extracurricular activities. In scheduling those activities and practices, a school district shall comply with the rules of the board.**

**2. A student enrolled in a school district in this state or who participates in an extracurricular activity or Missouri State High School Activities Association competition is subject to school district policy and Missouri State High School Activities Association rules regarding participation only when the student is under the direct supervision of an employee of the school or district in which the student is enrolled or at any other time specified by resolution of the board of trustees of the district.**

**3. A student who is enrolled in a school district in this state or who participates in a Missouri State High School Athletic Association competition shall be suspended from participation in any extracurricular activity sponsored or sanctioned by the school district or the Missouri State High School Athletic Association after a grade evaluation period in which the student received a grade lower than the equivalent of a passing grade in any**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **academic course. A suspension continues for one grade evaluation period and is not**  
18 **removed during the school year until the conditions of subsection 4 of this section are met.**  
19 **A suspension shall not last beyond the end of a school year. For purposes of this**  
20 **subsection, "grade evaluation period" means one grading period.**

21 **4. Until the suspension is removed under this subsection or the school year ends,**  
22 **a school district shall review the grades of a student suspended under subsection 3 of this**  
23 **section at the end of each grading period following the date on which the suspension began.**  
24 **At the time of a review, the suspension is removed if the student has passing grades in each**  
25 **class.**

26 **5. Suspension of a student with a disability that significantly interferes with the**  
27 **student's ability to meet regular academic standards shall be based on the student's failure**  
28 **to meet the requirements of the student's individualized education program. The**  
29 **determination of whether a disability significantly interferes with a student's ability to**  
30 **meet regular academic standards shall be made by the student's admission, review, and**  
31 **dismissal committee. For purposes of this subsection, "student with a disability" means**  
32 **a student with an individualized education plan.**

33 **6. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
34 **created under the authority delegated in this section shall become effective only if it**  
35 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
36 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**  
37 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**  
38 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**  
39 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2013,**  
40 **shall be invalid and void.**

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